[Mr. N. Kumaran.]

MR. A. HOOGEWERF (*Nominated*): Very few are sent out, Sir.

PRESIDENT: It is a matter of opinion, Mr. Hoogewerf. Question time is not the time for expressing it.

MR. A. HOOGEWERF (*Nominated*): Are the Government aware that a large number of clerks are vegetating in the Huzur Secretariat? (*Laughter.*)

MR. R. KRISHNA PILLAI (*Chief Secretary to Government*): No.

DEMANDS FOR GRANTS—(*contd.*)

DEMAND IX—ADMINISTRATION OF JUSTICE—(*contd.*)

Motion 166.

MR. N. KUMARAN (*Nominated*): I beg to make the following motion:—

166. To reduce the allotment of Rs. 3,300 for Law College Hostel by Rs. 100.

Sir, during the budget debate in 1097, I raised the question of admitting all classes of students into this hostel, and the undesirability of keeping any longer any caste institution. Mr. Subba Aiyar, in his reply, said that the matter was engaging the attention of the High Court which has the control of the Law College and the hostel; and the Government promised to consider the question on obtaining the views of the High Court. Two years have now passed by and yet there is no prospect of this institution shedding itself of its caste garb. I should like to know what has become of that correspondence and whether the High Court forwarded any suggestions to the Government. If they did not do so, I should also like to know why the Government did not take any steps to throw open the Hostel to students of all classes.

The usual argument of want of sufficient accommodation is unfortunately not available to Government in this instance. In 1097, the institution had 56 students in residence; but in 1098, the Hostel had only 26 students showing a reduction of more than 50 per cent. Yet other students are not admitted. What does this state of affairs show? It shows either that Government do not pay any attention to these questions or that they are too much enamoured of all caste organisations. It seems to me that no other conclusion is possible in view of the great cost per student that is being incurred by Government in maintaining the institution. For housing 26 students, Government incurred in 1098 a net expenditure of Rs. 3,553, which works out at the rate of Rs. 127 per student. The fee income that Government can collect from each of the students is not more than Rs. 126. It therefore amounts to giving each of these lucky students a free tuition and an extra rupee as pocket money. I daresay most of these students hail from outside the State,

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while a large number of students who are natives of the soil are allowed to shift for themselves in the best manner they could. I need hardly say more to show that the position of the Government is quite indefensible. Yet I have no doubt that the Government spokesman will certainly find arguments to convince us that what has not been done is that which cannot be done and has therefore to be endured. Therefore I should like to hear what the Government member has to say on the question.

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): Sir, I stated in 1097 that the maintenance of the Law College Hostel was absolutely necessary if we had to continue the Law College at all, and that the majority of the students in the Law College were caste Hindus. The result was that the present Hostel was started; and when this question was mooted, I said that the matter was under the consideration of the High Court. The High Court have not recommended the establishment of any other Hostel. But I may inform the member and the House that the Government wanted to start a non-caste Hindu Hostel for both the College of Arts and the Law College together; but there was no response from the students to show that they were willing to go in for that arrangement. Therefore the matter had to be dropped. It is therefore not that the Government were indifferent with reference to the admission of non-caste Hindus.

MR. N. KUMARAN (*Nominated*): Was it with respect to the Law College?

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): The Law College and the Arts College.

PRESIDENT: A common Hostel for all the Colleges.

MR. N. KUMARAN (*Nominated*): Including the Science College?

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): The separation of the Arts and Science Colleges took place only very recently.

MR. J. JOHN NIDIRY (*Changanachery cum Minachil*): May I know whether a reminder was sent by the Government to the High Court?

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): I do not think there was any reminder. No report has been received. I may probably tell the reason why no response was made to the offer of Government. Although in theory it is stated that another Hostel should be started, we may, if we go into the statistics, find that generally many of the students find it cheaper to live outside than in the Hostel. For, I understand that the ordinary messing charges for two meals, coffee in the morning and tiffin in the afternoon, would be about Rs. 30 a month; for meals alone the charges would be not less than Rs. 15, so that living in the Hostel is much more costly than elsewhere. As for the observation of Mr. Kumaran that we are paying more than we are getting, I may assure the member that the Hostel students themselves are not very much benefited; and we have to maintain the Hostel, as I said, on account of the University Regulations. The only thing that the Government pay is the rent for the Hostel and the cost of

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[Mr. V. Subba Aiyar.]

keeping a small establishment. Every other charge incidental to the Hostel is being paid by the students who enjoy the benefit of it and therefore I say that the students are not in any way unduly benefited.

MR. N. KUMARAN (*Nominated*): Are they not getting free medical aid? There is a medical officer.

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): I suppose so. I do not know whether there is any difficulty elsewhere as regards this.

MR. N. KUMARAN (*Nominated*): Who visits the students in their homes and attends them?

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): That is, so far as the others are concerned, no such complaint has been received and therefore I am not in a position to answer that question. Therefore I say it is not due to any indifference on the part of the Government that another hostel was not started, but because the number is very small; and if a Hostel is started, the cost may be much more. The larger the number the less will be the cost. It may be that on account of the prohibitive nature of the cost no person comes in for admission.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): May I know whether there is any objection to compelling the Pleadership students also to live in the Hostel?

PRESIDENT: I do not think there is any prohibition against the Pleadership students using the Hostel.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): May I know whether anybody applied for admission?

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): I do not know.

PRESIDENT: Pleadership students are also students of the Law College.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): That is only in a technical sense.

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): Anyhow nobody ever pressed for it and I do not think there is any specific prohibition in this direction.

MR. A. HOOGEWERF (*Nominated*): Would the non-caste Hindu also be admitted into the present Hostel?

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): As I stated, we want a separate kitchen.

MR. A. HOOGEWERF (*Nominated*): If there is a vacancy, will any man be admitted?

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): A separate kitchen is necessary.

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MR. A. HOOGEWERF (*Nominated*): Of course it is.

PRESIDENT: It is a rented building. Who is going to put up a separate kitchen?

MR. J. JOHN NIDIRY (*Changanachery cum Minachil*): The University authorities want only a Hostel, I suppose?

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): Yes.

MR. J. JOHN NIDIRY (*Changanachery cum Minachil*): And not a caste-Hindu Hostel?

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): No, no.

MR. J. JOHN NIDIRY (*Changanachery cum Minachil*): Is there any objection to have a non-caste Hostel for some time and then to have a caste-Hindu Hostel, if necessary?

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): The rule is always the rule of the majority. If we consider the strength of the College, we find that, out of about 200 students, more than 140 or 150 are caste Hindus and the non-caste Hindus are very few in number. So that the result will be to keep away a very large majority for the sake of a very small number, and I do not think it will be proper.

MR. N. KUMARAN (*Nominated*): I think separate kitchens may be provided.

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): Yes.

MR. A. HOOGEWERF (*Nominated*): Has there been a single instance of a non-caste Hindu applying for admission?

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): I do not think there is.

MR. N. KUMARAN (*Nominated*): Is there any institution like the Caste Hindu Hostel anywhere in South India?

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): I suppose there are separate kitchen arrangements.

MR. N. KUMARAN (*Nominated*): Is there any such thing as a Caste Hindu Hostel anywhere else?

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): There is no such thing. When the new Arts and Science College Hostel is completed, it will not be called a Caste Hindu Hostel and everybody will have access to it. There must be separate kitchen arrangement to suit the convenience of non-caste Hindus.

MR. A. HOOGEWERF (*Nominated*): Sir, I think that most of the members of this House must sympathise with the awkward situation of the Law Member in the replies that he had to give to the questions asked by some of us here. The Law College Hostel, call it what you will, is a preserve for cast Hindus alone. As far as I can see, in spite of all the denials that have been made on the other side,—

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[Mr. N. Kumaran.]

PRESIDENT: He did not deny it. He said that facilities did not exist.

MR. A. HOOGEWERF (*Nominated*): Yes. But at least for one man facilities might have existed some time or other. I think the Hostel is a close preserve for the caste Hindus.

PRESIDENT: He also said that facilities were sought to be created but that there was no response.

MR. A. HOOGEWERF (*Nominated*): When accommodation is found, everybody will be coming in. Now take the Women's College Hostel here. That is a standing example to every other Hostel. There is no caste or creed there. If young ladies can mix together there—they are more orthodox than young men—if young ladies of high families can mix with non-caste young ladies, I do not see why there should be any sort of restriction in admitting non-caste young men to the College Hostels. This bar sinister on the non-caste Hindus and Christians and everybody else must be removed. We have here the highest Brahmin sitting cheek by jowl with non-caste Hindus. The scene has changed entirely. In the Darbar Hall we saw an example of what the change was. I was so happy to hear the other day that Her Highness the Maha Rani was pleased to show her young baby to all the girls of the local Women's College Hostel in her own Palace without making any distinction of caste or creed. This is a noble example that has been set by our Queen. I think we ought to follow it. I feel very very keenly with Mr. Kumaran and with everybody else that we should be looked upon as a sort of "untouchables" in this matter. If there is no kitchen, one must be built. If it involves a few more rupees, it does not matter. But this ban must, once for all, be removed.

MR. N. KUMARAN (*Nominated*): I do not find any difficulty in Government being able to provide kitchen accommodation in this building even though it is a rented building. If the owner of the building is not prepared to put up a kitchen separately for non-caste Hindus or Christians, Government can put up a small kitchen at their own expense and remove the building or sell it away at the time they would be vacating that building. I do not think that difficulty is insurmountable. Mr. Subba Aiyar has told us that many students are not coming forward for taking up rooms in this institution. At any rate, it is desirable that Government must declare their policy and say that, if students are willing, Government would make arrangements in this institution, so much so that, whether they may come or may not come, this appellation of Caste-Hindu Hostel may be changed. We may very well have an ordinary Hostel, and even if one non-caste Hindu turns up and if it is convenient for the committee to accommodate him in that institution he may very well be accommodated. Otherwise he may be asked to bring with him at least six or seven others and then all of them may be permitted to enjoy the privileges of the Hostel. At any rate, the maintenance of the institution, as it is, is certainly not defensible

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Government may say that, if a sufficient number is forthcoming, they are prepared to put up a kitchen. This means that even if a single student is not admitted there is no blame cast on Government.

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): Sir, I have to say only a word in reply. If I were arguing in a court, I would simply say I must get a decree on the argument of Mr. Hoogewerf. Because, he says that, so far as the Women's College Hostel is concerned, the Government do not observe any distinction between caste and non-caste Hindus and in the Darbar Hall and on other occasions the Government do not observe any such distinction whatever, so that, if any difference was made in this particular instance, it was on account of want of accommodation. The Hostel itself is located in a rented building. The owner must be prepared to put up more accommodation or permit extra kitchens being put up there. In the absence of such circumstances, it is not feasible.

MR. N. KUMARAN (*Nominated*): May I know whether the Government applied to the owner of the property for permission for putting up a kitchen?

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): It means additional cost, and unless there was demand from the non-caste Hindus up to a certain number justifying the necessity for going in for that extra cost I do not think Government would be justified in taking that step. When the Government said that they were prepared to open a Hostel for non-caste Hindus, whether for the Arts College or for the Law College, there was no response. So we can only do all that is possible for us to do; and if there was no response, I do not know whether the House itself will be prepared to sanction an estimate for a purpose which may never be required.

MR. T. K. VELU PILLAI (*Trivandrum cum Nedumangad*): How many kitchens will be necessary for non-caste Hindus?

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): That depends upon the number of the communities.

MR. T. K. VELU PILLAI (*Trivandrum cum Nedumangad*): What is the presumable number?

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): Probably not less than two.

MR. T. K. VELU PILLAI (*Trivandrum cum Nedumangad*): There are only two communities?

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): I do not know. Perhaps two or three will be required.

MR. N. KUMARAN (*Nominated*): Can we not get the information from the Women's College Hostel without any difficulty?

MR. T. K. VELU PILLAI (*Trivandrum cum Nedumangad*): Is there anything to prevent cooking in the same kitchen and giving the non-caste Hindus also that food, if they do not object to the same, in separate dining parlours?

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[Mr. V. Subba Aiyar.]

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): That solution did not suggest itself. Whether they will be satisfied with a vegetarian meal is, however, a matter which will have to be gone into, and the wishes of the other students will also have to be ascertained.

MR. A. HOOGEWERF (*Nominated*): Are not the Ezhavas vegetarians?

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): Mr. Kumaran is a better authority.

MR. J. JOHN NIDIRY (*Changanachery* cum *Minachil*): Can the Government notify to the effect that those having vegetarian diet can be admitted?

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): That matter will be looked into.

MR. N. KUMARAN (*Nominated*): I do not press the motion.

The motion was, by leave, withdrawn.

Motion 167.

The following motion was not moved:—

MR. N. RAMAKRISHNA PILLAI:—

167. To reduce the allotment of Rs. 8,646 for Law College and Hostel by Rs. 100.

Motion 168.

MR. G. PARAMESVARAN PILLAI (*Neyyattinkara*): Sir, I beg to move the following motion:—

168. To omit the allotment of Rs. 1,044 for temporary establishment for Temporary Sirkar Vakils.

The budget provides for six permanent District Court Sirkar Vakils and three temporary Sirkar Vakils. The necessity for the retention of these temporary Sirkar Vakils was fully discussed in the Finance Committee, and the non-official members of the Committee were not satisfied that there was any necessity for continuing the staff. The figures kindly supplied to us by the department do not also induce us to accept the proposal to continue the staff for another year. I would therefore move that the establishment for the temporary Sirkar Vakils be dispensed with.

MR. JOSEPH PANJIKARAN (*Sherlalai*): May I know what were the figures supplied?

MR. G. PARAMESVARAN PILLAI (*Neyyattinkara*): I suppose Mr. Subba Aiyar will be able to give us the figures just now. So far as the figures supplied to us then were concerned, we were not convinced that there was any necessity for continuing the staff.

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): Sir, I may say that the figures that were available then were not very satisfactory. But, since then, we have called for the necessary figures, and I have not the slightest doubt that the House will be satisfied as to the absolute necessity for the allotment.

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Going to Kottayam first, the number of civil suits pending at the end of the year 1099 was 45. The number of land acquisition references pending at the end of that year was 29, and the number of sessions cases last year was 23, though the average of sessions cases pending in previous years is seen to be not less than 36. Somehow or other, last year it was less. Going into the actual nature of the civil cases pending, it will be found that there were 17 cases pending before the first bench, 18 cases before the second bench and 8 cases before the third bench. Of these 18 cases before the second bench, one is by the Vanjipuzha Chief covering an area of 3,436 acres, another by the Edapalli Chief with reference to an area of 1,663 acres and a third about the Peermade Residency covering an area of 375 acres, and two suits by Mr. P. T. Thomas which are very heavy, one to the extent of 7,512 acres and the other to the extent of about 2,052 acres. Before the third bench, there are two cases of Poonjar covering large areas. Each of these cases in itself requires the entertainment of a vakil, because he has to go through all the papers, plaints and written statements and the documents that will have to be produced and that will be produced on the other side, judge of the necessary evidence that has to be let in and do the needful in the matter. As I said, there are 26 cases before the second bench and the third bench. Going into the duration or pendency of these cases, we find that the cases begin from 1087. There is a case of 1087, namely O. S. 59 of 1087, and another of 1089, namely O. S. 94 of 1089. There are five cases of 1091 and there are also cases of 1092, 1093, 1094, 1095 and 1096. We may take it practically that the cases filed from 1087 forwards are still pending and that almost all of them are very heavy.

MR. T. K. VELU PILLAI (*Trivandrum cum Nedumangad*): May I know why there has been so much of delay in regard to these cases?

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): Probably on account of the nature of many of the cases mentioned and also on account of the fact that the Judges could not find time to dispose of them because there were a large number of other cases. If we consider the work of the Sirkar Vakils proper, namely, the work before the Sessions Judge, we find that the first Judge was engaged in sessions for 120 days and I may inform the House that the average number of working days in a year is only about 200. For 120 days the first bench was engaged in sessions; the second bench was engaged in sessions for 14 days and the third bench for 13 days. Sometimes it so happens that, when sessions cases are posted, a large number of witnesses appear, and the case taken up cannot be closed, and, therefore, the witnesses in the other cases cannot be examined on the days on which they are posted and the cases will have to be adjourned and the witnesses in the other cases bound over. Of course the cases may be sent to the second or the third bench if there is a Sirkar Vakil to conduct them. We find that at Kottayam it has taken 147 days for the trial of sessions cases. Over and above this, there are criminal appeals to engage the attention of Sirkar Vakils and 17 civil cases before the first bench also to engage him. When we have appointed Second Judges and

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[Mr. V. Subba Aiyar.]

Third Judges and when the House is particular to have these old cases cleared off, I do not know whether it will be proper for the Government to say that we are not in a position to engage another vakil and that the case may be put off. Members of the bar, who are members of this House, know as a matter of fact that the practice in the High Court has of late been that, even though a single vakil has to appear before the three benches in respect of different cases, his cases are simultaneously boarded before the three benches.

MR. G. PARAMESVARAN PILLAI (*Neyyattinkara*): May I know whether it is not the practice in the District Courts to see that as far as possible Sirkar cases are posted before one bench?

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): That is what I say. If as far as possible all these cases at Kottayam, for instance, are posted before the First Judge, I do not think that there will ever be a time when these cases will be disposed of, because he has to attend to sessions work for about 150 days, and he has to dispose of criminal appeals not to speak of execution and other civil original work. So that he will have no time to attend to old cases.

MR. M. R. MADHAVA VARIAR (*Chengannur* cum *Pattanamtitta*): Is he aware whether the majority of these cases are not petty cases concerning *tiruppuvaram*?

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): I think almost all those cases are before the Second Judge. I was referring to Kottayam. I will come to the other courts one after the other. So far as Kottayam is concerned, I do not think there will be any difficulty.

MR. T. K. VELU PILLAI (*Trivandrum* cum *Nedumangad*): May I know when the District Judges go to court every day?

PRESIDENT: The time allotted to this Demand will expire in two minutes more.

MR. T. K. VELU PILLAI (*Trivandrum* cum *Nedumangad*): I wish to know whether they come to court at 11 O'clock or later and whether the Government have any means of finding out whether they come at all.

MR. V. SUBBA AIYRA (*Additional Head Sirkar Vakil*): If my friend puts in an interpellation on that point, the necessary information may be called for. It is a long time since I attended District Courts, and, therefore, I do not know exactly when the Judges go to court. But, during the time I was practising in the District Court, I found that the Judges used to attend at half past eleven.

MR. T. K. VELU PILLAI (*Trivandrum* cum *Nedumangad*): I believe the details now given are not merely personal.

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): They do not say when the Judge attends court. As for the sessions courts, I may say, and I believe that it is my experience, that the Judges always attend court not later than 11-30 A. M.

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MR. A. HOOGEWERF (*Nominated*): May I know from Mr. Subba Aiyar whether the heavy arrears in court are not partly due to the vakils asking for adjournment very frequently?

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): May be due to that. I am prepared to plead guilty to that charge of Mr. Hoogewerf.

So far as Kottayam is concerned, there is no difficulty. Then passing on to Quilon, I may inform the House that, of all the courts which enjoy the privilege of a second Sirkar Vakil, Quilon appears to be the heaviest, so far as criminal work is concerned, because we find the average never comes below 39 in Quilon. The number of appeals is very high and the number of sessions cases is also very heavy, and I may say that most of the civil cases are pending before the First Judge, and, consequently, they are getting old. Apart from that, there are very many land acquisition references before the Second Judge. The number of such references is now 20. It was 60 before. Although it is only 20 now, the remaining 40 cases which were at various stages of investigation were all of them disposed of by the Second Judge on the ground that the land acquisition officer did not make the reference in his own handwriting. That is on a technical ground. The land acquisition officer has only to copy the old order in his own handwriting and send it back. We may take it practically then that there are 60 references which are very heavy. As we know from experience, so far as compensation goes, the Sirkar is generally the loser, for want of due precaution with reference to the value of the property that is proposed to be taken up. Therefore every precaution has to be taken to see that only proper value is given, and the Sirkar Vakil has to look sharp to see that the person whose land is taken also gets the value in time. I know as a matter of fact—although I have nothing to do with the Sirkar Vakils' offices—from many clients who came and told me that although it is five years since references had been made they were still pending before the District Court, Quilon, and that though their lands had been taken up they did not get the value for them. That is because the court was not in a position to dispose of the cases. Taking criminal work, it is the heaviest there.

MR. G. PARAMESVARAN PILLAI (*Neyyattinkara*): How long has the temporary Sirkar Vakil been working there?

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): Of late, for a couple of years or so. There was a break for some time and then the work accumulated, so that there also the work requires the assistance of a Sirkar Vakil. Probably if all these were disposed of and especially at Kottayam if all these old cases were polished off, I believe the work might not be heavy.

When we come to Trivandrum, we find that there are three Judges working here. There are Sirkar cases pending before the Second Judge and it will not be possible for the District Judge to dispose all of them because I find that the sessions work engages him

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[Mr. V. Subba Aiyar.]

for more than 180 days according to the returns in the year, and the Sessions Judge has absolutely no time to attend to old cases which are pending before the Second Judge. I was just referring to the practice which now exists in courts and I believe the Government will have no defence whatsoever if that practice continues. When a Vakil has to appear before the three benches, the High Court insist upon a junior being appointed and say that they would not grant the necessary indulgence to a Vakil because he appeared in another court. I do not know whether it will be fair to the Judges, the clients or the opposite side for the Government to say that inasmuch as our Sirkar Vakils are engaged in another place a particular case should not be taken up. I think it will be rather an indefensible position for the *Government* to take up. When they insist upon Judges to see that the arrears are cleared up, it is absolutely essential that there should be some body to represent the Sirkar before these several Judges. It may probably be asked whether it will not be possible to engage in such cases some private vakils temporarily, and pay for every case. To my mind, it is cheaper to pay these Sirkar Vakils than engage private vakils, which would cost much more. The salary that we pay to a Sirkar Vakil now is only a small pittance. Therefore when there are judges working in the second and third benches when there are very many old cases and land acquisition references pending at Trivandrum, Kottayam and Quilon, respectively, I ask the House to say whether it will be fair to withdraw all the Sirkar Vakils and insist upon all these cases being disposed of by the First Judge or Sessions Judge. I believe the explanation I have offered just now must satisfy the House and I hope they will be pleased to sanction he establishment for the temporary Sirkar Vakils.

MR. J. JOHN NIDIRY (*Changanachery* cum *Minachil*): Sir,—

PRESIDENT: The time is over Mr. Nidiry; and I think I will have to put the Demand to the vote.

MR. J. JOHN NIDIRY (*Changanachery* cum *Minachil*): I have just a word to say. So far as the Kottayam court is concerned, I am of opinion that, since there are three courts working, at least for some time more two Sirkar Vakils are absolutely necessary.

MR. G. PARAMESVARAN PILLAI (*Neyyattinkara*): The arguments of Mr. Subba Aiyar were already before us when we originally considered the scheme for the continuance of the temporary Sirkar Vakils. As for Trivandrum and Quilon, because Mr. Nidiry has pleaded so far as Kottayam is concerned that it may be necessary for some time more to post two Sirkar Vakils there—the arrears do not appear to be very heavy. If an arrangement can be made to have all the cases posted before the first bench, it may be possible for the permanent Sirkar Vakil to attend to all the cases.

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): Before the second bench of Trivandrum there are 17 cases from 1094.

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MR. G. PARAMESVARAN PILLAI (*Neyyattinkara*): When was that return prepared?

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): After the close of 1099, there were 58 of them. The return was received very recently.

MR. G. PARAMESVARAN PILLAI (*Neyyattinkara*): In three of these cases the Sirkar admitted the claim?

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): I believe we got the figure yesterday.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): May I also know—

PRESIDENT: Let him answer Mr. Parameswaran Pillai's question.

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): I believe that I got the figure towards the end of 1099, and I do not think there is much difference. From the return it will be seen that the number of civil cases pending at the end of 1099 is 58. The statement received yesterday shows the same number. I believe the figures that were sent up are quite correct because the figures were 41 before the First Judge and 17 before the Second or 58 in all. So that I do not think that makes any difference because the list I got yesterday afternoon shows the pendency as 58.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): Is he aware that two of the heavy cases mentioned by him as still pending in the Kottayam District Court have been disposed of?

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): I do not know. Probably, they have been disposed of after the return was sent up. So as Trivandrum is concerned, I wanted to make sure of the number. I believe some 17 cases were pending at the beginning of 1094 and we are now in 1100. Especially when the Sessions Judge is busy with sessions cases, I do not know whether it will be possible to transfer all these cases to him so that the work may become current.

PRESIDENT: Do you press your motion, Mr. Paramesvaran Pillai?

MR. G. PARAMESVARAN PILLAI (*Neyyattinkara*): Yes, Sir.

The motion was put to the vote and lost, 19 voting *for* and 20 *against*.

MR. G. PARAMESVARAN PILLAI (*Neyyattinkara*): I demand a poll.

A poll was then taken with the following result:—

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[Mr. G. Parameswaran Pillai.]

AYES—19.

1. Mr. T. K. Velu Pillai.
2. ,, M. R. Madhava Variar.
3. ,, M. N. Pillai.
4. ,, P. K. Narayana Pillai.
5. ,, N. Ramakrishna Pillai.
6. ,, N. Padmanabha Pillai.
7. ,, G. Parameswaran Pillai
8. ,, Joseph Panjikaran.
9. ,, K. Parameswaran Pillai (*Tiruvalla*).
10. ,, N. Kumaran.
11. ,, T. Kumara Pillai.
12. Mr. Tariatu Kunjitomman.
13. ,, V. Kunjukrishna Pillai.
14. The Rev. Fr. Kriakose Vettikkapalli.
15. Mr. C. P. Kochukunju Pillai.
16. ,, A. Govinda Menon.
17. ,, Paul V. Daniel.
18. ,, T. M. Chidambaratanu Pillai.
19. ,, A. Hoogewerf.

NOES—20.

1. Mr. V. Subba Aiyar.
2. ,, S. Parameswara Aiyar.
3. ,, R. Krishna Pillai.
4. ,, K. George.
5. ,, J. Stephenson.
6. ,, R. Dhanukoti Pillai.
7. ,, K. Parameswaran Pillai. (Ag. Director of Agriculture and Fisheries).
8. ,, S. C. H. Robinson.
9. Rao Bahadur K. V. Rangaswami Aiyangar.
10. Mr. K. V. Natesa Aiyar.
11. ,, M. Raja Raja Varma.
12. ,, I. C. Chacko.
13. Mrs. M. Poonen Lukose.
14. Mr. R. K. Krishna Pillai.
15. ,, A. J. Van Ross.
16. ,, P. Parameswaran.
17. ,, J. John Nidiry.
18. ,, P. T. Thomas.
19. ,, S. Subrahmanya Karayalar.
20. ,, John Mackie.

The motion was declared lost.

Motion 169.

The following motion was not moved, as motion 168, which related to the same subject, was lost.

MR. M. R. MADHAVA VARIAR :

169. To omit the allotment of Rs. 1,044 for temporary establishment for Temporary Sirkar Vakils.

Motion 170 to 179.

The following motions lapsed as the time allotted for the Demand had expired :—

MR. N. KUMARAN :

170 To omit the allotment of Rs. 5,000 for fees to vakils.

MR. G. PARAMESVARAN PILLAI :

171. To reduce the allotment of Rs. 5,000 for fees to vakils by Rs. 2,000.

MR. K. PARAMESVARAN PILLAI:

172. To reduce the allotment of Rs. 5,000 for fees to vakils by Rs. 2,000.

MR. N. RAMAKRISHNA PILLAI :

173. To reduce the allotment of Rs. 5,000 for fees to vakils by Rs. 2,000.

MR. V. KUNJUKRISHNA PILLAI :

174. To reduce the allotment of Rs. 4,800 for Additional Head Sirkar Vakil by Rs. 800.

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MR. N. KUMARAN:

175. To reduce the allotment of Rs. 4,800 for Additional Head Sirkar Vakil by Rs. 100.

MR. K. PARAMESVARAN PILLAI:

176. To reduce the allotment of Rs. 30,787 for Law Officers by Rs. 100.

MR. M. N. PILLAI:

177. To reduce the allotment of Rs. 30,877 for Law Officers by Rs. 100.

MR. M. R. MADHAVA VARIAR:

178. To reduce the allotment of Rs. 30,787 for Law Officers by Rs. 100.

MR. M. R. MADHAVA VARIAR:

179. To reduce the allotment of Rs. 6·80 lakhs under Demand IX by Rs. 100.

PRESIDENT: I now put to the vote of the House, Demand IX—Administration of Justice—Rs. 6·80 lakhs *minus* Rs. 100, and I take it that the House sanctions it.

The grant was made.

DEMAND X.—CENTRAL PRISON.

MR. R. KRISHNA PILLAI (*Chief Secretary to Government*): Sir, I beg to move for a grant not exceeding Rs. ·78 lakh under Demand X—Central Prison.

MR. N. KUMARAN (*Nominated*): Sir, I beg to move—

MR. R. KRISHNA PILLAI (*Chief Secretary to Government*): The amount of the Demand excludes the amount of Rs. 5,000 and odd, as would be seen from the note in the motion paper.

MR. N. KUMARAN (*Nominated*): Then I do not move the motion.

MR. G. PARAMESVARAN PILLAI (*Neyyattinkara*): May I know why the amount has been deducted?

PRESIDENT: Certain schemes were originally included in the budget. But they were subsequently omitted on account of the increase of expenditure in connection with the flood havoc. The whole amount has not been deleted; a sum of Rs. 500 and odd has been retained.

MR. G. PARAMESVARAN PILLAI (*Neyyattinkara*): Then I do not also move my motion.

Motions 180 to 183.

The following motions were not moved :—

MR. N. KUMARAN:

180. To omit the allotment of Rs. 5,650 for purchase and repair of machines.

MR. G. PARAMESVARAN PILLAI:

181. To omit the allotment of Rs. 5,650 for purchase and repair of machines.

MR. N. RAMAKRISHNA PILLAI:

182. To reduce the allotment of Rs. 5,650 for purchase and repair of machines by Rs. 5,150.

MR. V. KUNJUKRISHNA PILLAI:

183. To reduce the allotment of Rs. 5,650 for purchase and repair of machines by Rs. 3,000.

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